

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ANTHONY BAYAD ,

Plaintiff ,

CIVIL ACTION

CASE NO. 04-cv-10468-GAO

JOHN CHAMBERS, PATRICIA

RUSSO, ANTHONY

SAVASTANO and CARL

WIESE,

Defendants ,

**AFFIDAVIT IN SUPPORT OF REQUEST TO ENTER DEFAULT
(EXHIBITS ATTACHED)**

Anthony Bayad, being duly sworn, depose and states:

My name is Anthony Bayad .

I am a United States Citizens and over 18 years of age, I have never traveled outside of the United States of America since the year of 1998 until I worked at Cisco Systems Inc., *the year 2000- 2001*, and with the Defendants where I was invited by Cisco Systems European 'Team to travel to Europe and to other part of the world at their request for job Interviews for an Advancement , and Opportunity. Unfortunately defendants denied me such opportunity .

As I was required By Cisco System to Travel to Canada between the *year of 2000-2001* Cisco Systems Inc., Nova Scotia, to take the Cisco Systems Certification Internetworking Expert for Routing and Switching.(*for the 1st time*).

I was required for the *first time* to travel to South of America the country of Brazil (Cisco systems Inc., of Sao Palo), to take the Cisco Exams during the month of *January 20002.(for the 2nd times)*.

I was also required for the *third time* to take the Cisco Systems Certification Internetworking Expert for Routing and Switching, South of America, Cisco Systems Inc., Brazil Sao Palo, month of *February the year of 2003.(for the 3rd times)*

Last, and for the fourth time, I was scheduled to Travel to Cisco Systems Brazil city of Sao Paolo on about *February of the year of 2004(4 times)*, But prejudicially as always I was discriminated against as I was denied access to Cisco Systems Inc., by Defendants and their attorney Mark Batten with the firm of *BINGHAM MCCUTCHEN LLP*. (The records and Exhibits of the proof of travel to Cisco between the *year 2000, 2003, and 2004* were denied to be provided to me by Attorney *Mark Batten, and Cisco Systems Inc.*; Please See Exhibits that are with Mark Batten for Cisco Systems Inc.).

I reside with my elderly parent and my four Brothers and two Sisters at 2 Magoun Avenue in Medford, Massachusetts. I am also unemployed and I have not earn any wages since my wrong full termination by defendants at Cisco Systems. I also did not file any tax form for the year ending *2003*, I did not make any income is because of Defendants who are always conspiring and discriminating against me, one time back at *Lucent Technologies Inc.*, second time *International Networking Services* (in the State of Florida) , Third time at *Cisco Systems Inc., (in the State of Massachusetts)*, Forth and at present time *the year of 2004*, Defendants are interfering with my Civil Right and with my company Global Internetworking Consulting registered in Massachusetts, and fifth I was denied *access* to Cisco Systems to finish up my Cisco Systems Certifications Internetworking Expert Level that Cisco used in order to favor one group of preferred race over the minority like myself (*Scheduled for February the year of 2004*).

I am fully competent to make this affidavit and I have personal knowledge of the facts stated in this affidavit.

I am Anthony Bayad the Plaintiff in this action under statue *42 U.S.C §§§ 1981, 1985, & 704*

I filed a complaint against the defendants on about March 8, 2004 with the United States Clerk of the District of Massachusetts the city of Boston.

I was given by the clerk the **SUMMONS IN CIVIL CASE DOCKETED 04- 10468GAO**, and the **Waiver of Service of Summons**.

On about **March 9, 2004, 12:34 am**, I Mailed **the Complaint, the Summons of the Civil Case 04-10468GAO, and the Waiver of Service of Summons** to Defendants John Chambers, **Patricia Russo**, Anthony Savastano, and Carl Wiese.

I used the United States Postal Service to deliver the Complaints and the Waiver of Service of Summons to them, I also used the U.S. Postal Service to deliver the complaint on **First Class** and **Certified Mail** , requiring to be Signed by the Defendants.

I instructed in the U.S. Postal Service forms to deliver the Complaint to **Patricia Russo at the Address of 600 Mountain Avenue, City Murray Hill, New Jersey**.

The Summons was commanding Defendant Patricia Russo to answer to the complain on about **March 19 , 2004**; See **Exhibits hereto attached**; or to sign the waiver of Service of Summons and **60** days will be granted for an answer to the complaint due **May 10 , 2004** (because the 9th of May falls on weekend).

The **Proof of Service** was duly filed with this court accordingly with Rule 5 (d), By I (Anthony Bayad); **See the United States District Court Docketed No 2 for proof of service filed accordingly to Rule 5(d) of The federal Civil Procedure**.

Defendants John Chambers, Anthony Savastano, Carl Wiese all have complied with the Summons and Returned their Waiver of Service on **March 16, 2004**,they filed it with the Court in compliance with Rule 5(d).

Defendant Patricia Russo **did not complied** by the **Command of Summons** nor **did she answered the complaint** nor **she filed any pleading** with the Court accordingly with the **Rule 5(d)** or time

limitation **Rule 12 (a)** of the Federal Civil Procedure , in this case is **20 days** to answer.

The United States Postal Service delivered the Complaint to Patricia Russo that was sent to her on about **March 9, 2004** and she was properly notified on about **10: 57 am March 11, 2004, See Exhibits hereto attached of the U.S Postal Service tracking & confirm of receipt.**

The Firm CHOATE, HALL and their attorneys **Lisa Gaulin and Tom Shirley**, have **SQUASHED** my request of discovery materials and United States District Court **Subpoena signed by the U.S. Clerk** and provided to me on about **April 5, 2004 as matter of right accordance of Rule 45.**

Defendant Patricia Russo has failed to serve or **to file the waiver of service** accordingly to

Federal Civil Procedure 5 (d); and my complaint was filed on **March 8, 2004** with the

United States District Court; and was properly submitted to her by **Certify First Class Mail** to

on March 9, 2004 according to **Federal Civ. P. Rule 4**; and Defendant **Patricia Russo** on **March**

11, 2004 was properly notified of my (the Plaintiff) Complaint and Law suit against her;

Patricia Russo has failed to serve and file answer or reply to my (Anthony Bayad) Complaint, and

She (Patricia Russo) did not **file** or **seek an extension** and she give **no excuse** for **delay**.

Under Rule 12 (a) of the Federal Rule of Civil Procedure, the “**time**” limit for responding to

Plaintiff ‘complaint is **20 days** and I (Anthony) gave her another **40 days** to file and **time** has

totaled to **61 days** and the time has **expired** for Defendant **Patricia Russo**, and it has not been

extended by any stipulation of her attorneys Tom Shirley and Lisa Gaulin or by any **Order of the**

Court.

Patricia Russo is not an **infant** or **incompetent person**, I am personally familiar with her and I know

she is working as a **Chief Executives Officer of Lucent Technologies** as she is responsible of

making decisions on behalf the company at **present time**. I know that she is an adult and appears

to capable of managing her own affairs.

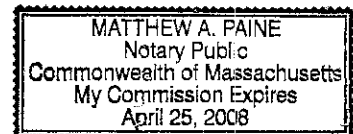
Patricia Russo could not be an infant or incompetent person within the meaning of **rule 55 (a)**

of the Federal Rule of Civil Procedure.

Patricia Russo is represented by Co-counsel of Lucent Technologies and Attorney Tom Shirely and Lisa Gaulin who has *filed notice of appearance on behalf of Patricia Russo, on about March 27, 2004, with clerk of the United State District Court of Massachusetts.*

At last Defendant Patricia Russo is not in Military service.

Signed by Anthony Bayad on 5/19/04 day at 1:00 pm Boston, Massachusetts.




SIGNATURE OF AFFIANT

ANTHONY BAYAD
TYPED NAME OF AFFIANT

CERTIFICATE OF SERVICE

I CERTIFY THAT On May 12, 2004 a copy of this document was served BY

HAND ON :

LUCENT TECHNOLOGIES INC.,

CHOATE, HALL & STEWART

Lisa Gaulin ESQ,& Tom Shirley ESQ,

EXCHANGE PLACE

53 STATE STREET,

BOSTON, MA 02109

&

CISCO SYSTEMS INC,

JOHN CHAMBERS,

ANTHONY SAVASTANO,

CARL WIESE,

BINGHAM MCCUTCHEN LLP,

Mark Batten,

150 Federal Street,

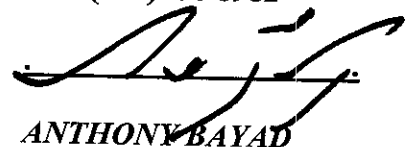
Boston, MA 02148

ANTHONYBAYAD Pro Se

2 MAGOUN AVENUE

MEDFORD, MA 02155

Tel: (781)704-8982



ANTHONY BAYAD

EXHIBITS